

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)
)
)
V.) **Case No.2: 06-CR-215**
SANTO COLEMAN, et al.)

RENEWED MOTION TO SET BAIL

Now comes the defendant, Santo Coleman, by and through the undersigned, and hereby petitions this Honorable Court, to set bail. As grounds for such motion the defendant submits the following:

1. The Honorable United States Magistrate Judge Susan Russ Walker denied the defendant bail on September 1, 2006.
2. The case was set for trial on November 27, 2006.
3. On November 24, 2006, the government moved to continue the above styled cause due to the unavailability of an essential witness.
4. On November 27, 2006, the Court heard arguments of counsel from both sides regarding the motion to continue. After hearing arguments on the issue, the Court granted the government's motion to continue and set a new trial date for February 5, 2007. In order to alleviate some prejudice against the defendants Coleman and Jones, the Court's oral order granted leave to the defendants to re-petition the Court to determine reasonable terms and conditions of release until the new trial date. Upon information and belief, the defendants were under the impression that

the hearing for reconsideration would be held on Thursday, November 30, 2006 in front of the Honorable Magistrate Judge Wallace Capel, Jr.

5. However to date, no hearing has been set.
6. The defendants petition this Honorable Court for a hearing on the terms and conditions of release, as approved by the Honorable Chief Judge Mark Fuller on November 27, 2006, at the earliest possible convenience of the court, as time is of the essence in this matter. The defendant believes the government will not move to detain the defendant, but wishes to be heard on the terms and conditions of release.
7. Counsel for the government and the defendant will make themselves available on short notice if necessary.

Wherefore Premises considered, the defendant prays that this court set this matter for a hearing at the court's earliest convenience.

Respectfully Submitted

/s/Joe M. Reed
Joe M. Reed
Attorney for Defendant

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Certificate of Service

I hereby certify that the foregoing was filed with the Clerk of the Court and that notice will be sent by the Clerk to the Honorable Terry Moorer, Assistant United States Attorney, P.O. Box 197, Montgomery, AL 36101 by electronic mail this 29th day of November, 2006.

/s/ Joe M. Reed
Joe M. Reed